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FILED
YOLO SUPERIOR COURT

OCT 14 2008
By [Signature]
Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF YOLO

THE PEOPLE OF THE STATE
OF CALIFORNIA,

Plaintiff,

v.

MARCO ANTONIO TOPETE,

Defendant.

No. 08-3355

PEOPLE'S SUBMITTED
HANDWRITING EXAMPLES IN
SUPPORT OF MOTION TO ORDER
HANDWRITING EXEMPLAR

TO THE HONORABLE JUDGE PAUL K. RICHARDSON, THE DEFENDANT MARCO ANTONIO TOPETE, AND HIS ATTORNEYS OF RECORD, HAYES H. GABLE III AND THOMAS A. PURTELL.

The People hereby submit as ordered by the court the handwriting samples seized in evidence in this case, that are the basis for the People's previously made motion.

PEOPLE'S OFFER OF PROOF

The attached letters and writings are referred to by their discovery page numbers in the bottom right hand corner.

Pages 1432-1436

Letter discussing his animosity to law enforcement, the gang task force, and discusses being

1 disrespected by a relationship with a friend. We believe this is relevant in the guilt phase and penalty
2 phase

3 **Pages 1440-1443**

4 Letter talking about animosity to law enforcement and talking about a snitch getting out of the SHU.
5 We believe this is relevant in the guilt and penalty phase.

6 **Pages 2331-2335**

7
8 Two letters with terminology about disrespect and the homies. We believe these are relevant to the
9 gang charges.

10 **Pages 2338-2341**

11 Letter to homie. We believe this is relevant to the gang charges.

12 **Pages 2342-2345**

13 Letter regarding Guerilla warfare. We believe this is relevant to the gang charges.

14 **Pages 2347-2350**

15 Letter to gang member. We believe this is relevant to the gang charges.

16 **Pages 2356-2365**

17 Letter regarding psychological warfare with C.O.'s. We believe this is relevant in the penalty phase
18 and gang charges.

19 **Pages 2419-2423**

20 Letter with admissions regarding the video from the killing of Deputy Diaz. We believe this is
21 relevant in the guilt phase.

22 **Pages 2424-2428**

23 Letter with admissions: "I know my fate..." We believe this is relevant in the guilt phase.

24 **Pages 2451-2455**

25 Letter containing: "Can't blame no one but myself for this." We believe this is relevant in the guilt
26
27
28


1 phase.

2 DATED: October 2, 2009

3 Respectfully submitted,

4 JEFF W. REISIG
5 DISTRICT ATTORNEY

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7 BY:

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9 GARRETT HAMILTON
10 Supervising Deputy District Attorney
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